

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
JULY 26, 2005

- 1) The regular meeting of the Berwyn City Council was called to order at 8:05 p.m. with Mayor O'Connor presiding. Upon the call of the roll, the following members responded present. Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Absent: Skryd. Thereafter, Lovero made a motion, seconded by Chapman to excuse Skryd. The motion carried by voice vote. The Mayor declared a quorum present and the meeting duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the men and women serving overseas.
- 3) The Open Forum portion of the meeting was announced. Greg Notbusch, 3234 Maple submitted photos and a structural report of the conditions of the alley and of the water collecting behind his garage. Shannon Shider, 1510 Wesley spoke on change in the manner in which Fire and Police are tested. Clerk Pavlik announced an invitation to the elected officials from the residents of the 64 and 6500 block of 27th Street to attend their 1st annual block party.
- 4) The minutes of the Berwyn City Council meeting held on July 12, 2005 and the Committee of the Whole minutes held on June 7, 2005 were submitted. Chapman made a motion, seconded by Ramos, to approve the minutes. Thereafter, Brocato made a motion, seconded by Phelan, to amend item #18 on its face to read "seconded by Chapman" and to approve the minutes as amended. The motion carried by voice vote.
- 5) A deferred communication was submitted by the Mayor recommending that a business license be issued for a new nail salon at 6925 Ogden Avenue and to refer the moratorium for same to the Ordinance and Resolution Committee. Chapman made a motion, seconded by Weiner to waive the reading. The motion carried by voice vote. Thereafter, Chapman made a motion, seconded by Lovero, to deny the recommendation as presented. The motion carried by voice vote.
- 6) The Mayor submitted a communication reappointing the following members to the Community Relations Committee to serve a three-year term: Blanca Gonzalez, Jose Gonzalez and Michael Raymond. Chapman made a motion, seconded by Brocato to concur in the

recommendation and approve as presented. The motion carried by voice vote.

- 7) Chapman made a motion, seconded by Lovero to suspend the rules and bring forth item I-1, Resolutions for the C.D.B.G. 2005-2009 Consolidated Plan and the C.D.B.G. Sixth Year Action Plan. The motion carried by voice vote. Thereafter, Chapman made a motion, seconded by Lovero to concur, adopt the Resolutions as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 8) The Mayor submitted a communication appointing the following to the Citizen's Advisory Committee membership list to serve a two year term: Alicia Ruiz, Eddie Tovar, Eduardo Rios, Ken Cechura, Estella Mendez, Norma Calderone, Moises Zavalo, Jeffrey Janda. Ramos made a motion, seconded by Chapman, to concur in the Mayoral appointments. The motion carried by voice vote.
- 9) The Mayor submitted a communication regarding diagonal parking at 6701-07 21st Street. At the request of the Chair Chapman made a motion, seconded by Ramos to defer the matter for two weeks. The motion carried by voice vote with Phelan voting nay.
- 10) The Mayor submitted a communication regarding Waste Management's 2% increase for waste pickup effective August 1, 2005, as well as instructions to the Water Department and Collector's office for implementation to begin on August 1, 2005. Chapman made a motion, seconded by Weiner to concur and approve as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 11) The Mayor submitted a communication recommending the ordinance pertaining to the number of AA machines and pool tables allowed be increased to seven AA machines and two pool tables. After discussion, Chapman made a motion, seconded by Ramos, to defer and refer the matter to the Committee of the Whole meeting. The motion carried by voice vote.
- 12) The Mayor submitted a supplement to the Walker Parking Consultants base proposal for engineering services during construction of the proposed parking structure. Chapman made a motion, seconded by Brocato, to refer the matter to the Berwyn Development Corporation. The motion carried by voice vote.

- 13) The Mayor submitted a proposal for professional services by Walker Parking Consultants for services provided for the Depot Parking Structure on Grove Avenue. Chapman made a motion, seconded by Weiner to concur in the recommendation and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Phelan, Lovero, Erickson. Nays: Brocato. Excused: Skryd.
- 14) The Mayor submitted notification of written orders entered at the conclusion of liquor license hearing proceedings. Thereafter Chapman made a motion, seconded by Brocato, to accept the matter as informational. The motion carried by voice vote.
- 15) The Mayor submitted a communication from AFLAC with the recommendation that it be offered to City employees. Chapman made a motion, seconded by Weiner, to concur and accept the matter as informational. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 16) The Mayor submitted a communication from Tom Martirano confirming receipt of a grant in the amount of \$1,100.000 from the West Central Transportation Committee to be used to complete the infrastructure of 16th Street from Harlem to Lombard. Brocato made a motion, seconded by Chapman to accept the matter as informational and to thank Martirano for his help on the project. The motion carried by voice vote.
- 17) The Mayor submitted a communication recommending that an independent company be utilized to evaluate promotions for Police Sergeants and Police Lieutenants. Brocato made a motion, seconded by Weiner to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 18) The Mayor submitted a communication announcing the appointment of Berwyn's first Senior Advocate, Frank Paduch, Jr. Chapman made a motion, seconded by Weiner to concur and approve the appointment as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 19) The Mayor submitted a late communication requesting concurrence in his appointments of city council members Nona Chapman, Santiago Ramos and Robert Lovero to the Community Relations Review

Committee. Ramos made a motion, seconded by Chapman to defer the matter. The motion carried by voice vote.

- 20) City Clerk Pavlik submitted a communication to amend the June 28, 2005 minutes, item E-15 to read "Mass Transit Board" and not West Central Municipal Transportation Board. Lovero made a motion, seconded by Brocato to amend the minutes as presented. The motion carried by voice vote.
- 21) The Zoning Board of Appeals submitted a Resolution and Ordinance pertaining to Pal's Childcare and Development Center, 7115 Roosevelt Road. After discussion, Erickson made a motion, seconded by Brocato, to concur, adopt the Resolution and Ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 22) The Education Committee submitted a communication recommending that an open line of communication between the Education Committee and school districts 98, 100 and Board of Education continue. Ramos made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by voice vote.
- 23) The Fire and Police Committee submitted a communication recommending that the new contract between the city and Medical Reimbursement Services be adopted for 2005 and 2006. Thereafter, Weiner made a motion, seconded by Chapman, to concur in the recommendation and adopt the contract as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 24) Alderman Weiner submitted a communication requesting street sweeping signs be installed on Grove Avenue, between Stanley and 32nd Street. Weiner made a motion, seconded by Chapman, to concur in the recommendation and authorize the Public Works Department to install said signs. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 25) Alderman Weiner submitted a communication requesting the installation of Stop Signs at the following locations:

On 32nd Street only, facing/stopping the westbound traffic approaching Harlem

On 28th Street, facing the eastbound traffic, at Home Avenue

On Euclid, at 27th Street, facing/stopping the northbound traffic

Thereafter, Weiner made a motion, seconded by Brocato, to amend the communication on its face, concur as amended and authorize the Public Works Department to install said signs. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.

- 26) Alderman Weiner submitted a communication requesting that James and Sandra Marinellie, 2422 Grove Avenue, by-pass the Zoning Board of Appeals process and construct an oversized garage on their property. After discussion, Weiner made a motion, seconded by Chapman, to concur in the recommendation as presented contingent upon procuring proper permits for said construction. The motion carried by the following roll call: Yeas: Chapman, Weiner, Brocato, Lovero. Nays: Ramos, Phelan, Erickson. Excused: Skryd.
- 27) Alderman Ramos submitted a communication requesting two garbage receptacles to receive dog waste and a dispenser for plastic bags be placed at Karban Park. After discussion, Ramos made a motion, seconded by Weiner to concur in the recommendation and refer the matter to the Public Works Department. The motion carried by the following roll call: Yeas: Ramos, Weiner, Brocato, Lovero, Erickson. Nays: Chapman, Phelan. Excused: Skryd.
- 28) Alderman Erickson submitted a communication regarding street cleaning issues and vehicle sticker fines. After discussion, Erickson made a motion, seconded by Brocato, to waive the reading and refer the matter to the Committee of the Whole for further discussion. The motion carried by voice vote.
- 29) Alderman Erickson submitted a communication regarding Health Insurance issues for the City employees. After discussion, Erickson made a motion, seconded by Ramos, to waive the reading and refer the matter to the Administration Committee for further discussion. The motion carried by voice vote.
- 30) Alderman Erickson submitted a communication regarding the Occupancy Affidavit. Thereafter, Erickson made a motion, seconded by Ramos, to waive the reading and refer the matter to the Committee of the Whole for further discussion. The motion carried by voice vote with Weiner voting nay.

- 31) Alderman Chapman submitted a communication pertaining to an "Initiative for a Balanced Budget". After discussion, Chapman made a motion, seconded by Brocato, to refer the matter to the Budget Committee and the Finance Department. The motion carried by voice vote.
- 32) The Budget Committee submitted a communication regarding additions and adjustments to the 2005 Budget stating that more information is needed. Thereafter, Chapman made a motion, seconded by Brocato, to accept the matter as informational. The motion carried by voice vote.
- 33) The Recreation Committee submitted a communication requesting quotes for possible installation of netting at Baseball Alley to protect residents property that surround said fields. Phelan made a motion, seconded by Brocato to accept the matter as informational and place same on file. The motion carried by voice vote.
- 34) Alderman Chapman submitted the Payroll Report for July 13, 2005, in the total amount of \$882,362.67. Chapman made a motion, seconded by Ramos, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 35) Alderman Chapman submitted the Payables for July 26, 2005, in the total amount of \$1,031,076.33. Chapman made a motion, seconded by Weiner to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 36) Alderman Brocato submitted a communication requesting a tree removal at 1220 Highland Avenue. After discussion, Brocato made a motion, seconded by Lovero, to concur and approve the recommendation and refer the matter to the Public Works Department for removal of said tree. The motion carried by the following roll call: Yeas: Chapman Ramos, Weiner, Brocato, Phelan, Lovero. Nays: Erickson. Excused: Skryd.
- 37) Alderman Lovero submitted an ordinance entitled:

AMENDMENT TO 1486.10

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING LIGHT AND VENTILATION REQUIREMENTS

Lovero made a motion, seconded by Brocato, to concur, adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.

- 38) Alderman Lovero submitted an ordinance entitled:

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING ANNUAL AND PERIODIC INSPECTION FEES FOR ELEVATORS, ESCALATORS, LIFTS, HOISTS AND DUMBWAITERS

Lovero made a motion, seconded by Chapman to concur, adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd

- 39) Alderman Lovero submitted an ordinance entitled:

AMENDMENT TO SECTION 801.13-FEE SCHEDULE (CONTRACTORS)

ORDINANCE AMENDING THE BUSINESS REGULATION AND TAXATION CODE OF THE CITY OF BERWYN REGARDING LICENSES AND FEES

Lovero made a motion, seconded by Brocato, to concur, adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Lovero, Nays: Phelan, Erickson. Excused: Skryd

- 40) Alderman Chapman submitted a communication requesting a hiring freeze at least through the end of 2005. After discussion, Chapman made a motion, seconded by Brocato, to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 41) Alderman Chapman submitted a communication requesting a progress report on the Oswald property on the corner of Windsor and

Kenilworth Avenue. After discussion, Chapman made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by voice vote.

- 42) Alderman Chapman submitted a communication requesting a six foot vinyl fence be allowed at the residence of Tom Moore, 6917 West 34th Street. After discussion, Chapman made a motion, seconded by Brocato, to concur and approve the request as presented contingent upon obtaining proper permits for same. The motion carried by the following roll call: Yeas: Chapman, Weiner, Brocato, Lovero, Erickson. Nays: Ramos, Phelan. Excused: Skryd.
- 43) Alderman Brocato submitted a communication requesting stop signs on 23rd Street eastbound at Cuyler and another on Cuyler northbound at 23rd Street due to accidents at that intersection. After discussion, Brocato made a motion, seconded by Chapman, to concur in the recommendation and authorize the Public Works Department to install said signs. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 44) The Berwyn Police Department submitted a communication requesting a handicapped sign for Carole Finigan, 3828 Lombard Avenue. Ramos made a motion, seconded by Phelan, to overrule the recommendation of the investigating officer and deny said sign. The motion carried by voice vote.
- 45) The Berwyn Police Department submitted a communication requesting a handicapped sign for Helen Larson, 2830 Wenonah. Weiner made a motion, seconded by Chapman to concur in the recommendation of the investigating officer and deny said sign. The motion carried by voice vote.
- 46) The Berwyn Police Department submitted a communication requesting a handicapped sign for Javier Velez, 2216 East Avenue. Brocato made a motion, seconded by Chapman, to defer the matter. The motion carried by voice vote.
- 47) The Berwyn Police Department submitted a communication requesting a handicapped sign for Anna Mancini, 1628 Scoville Avenue. Phelan made a motion, seconded by Chapman to concur in the recommendation of the investigating officer and authorize the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.

- 48) The Berwyn Police Department submitted a communication requesting a handicapped sign for Lydia Spera, 6428 W. 27th St. Brocato made a motion, seconded by Chapman, to defer the matter. The motion carried by voice vote.
- 49) Assistant Director of Finance, Sharon Weilmuenster submitted a communication recommending approval of an insurance policy for Excess Workers Compensation with Safety National Casualty Insurance at a cost of \$97,172.00; a saving of \$17,368.00 over last year. Chapman made a motion, seconded by Lovero, to concur and adopt the policy as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 50) Police Chief Dobbs submitted a Mission Statement for the Berwyn Police Department. After discussion, Brocato made a motion, seconded by Chapman, to concur and adopt the Mission Statement as presented. The motion carried by voice vote.
- 51) Police Chief Dobbs submitted a communication requesting four new Patrolmen be called from the eligibility list to fill the vacancies created by recent retirements, effective August 1, 2005. After discussion, Brocato made a motion, seconded by Lovero, to concur in the recommendation and accept the matter as informational. The motion carried by voice vote.
- 52) Fire Chief Kalivoda submitted a communication regarding a grant from the Illinois Department of Commerce and Economic Opportunity in the amount of \$500,000 to be used to pay off the loan for the new aerial ladder truck. After discussion, Lovero made a motion, seconded by Chapman, to concur and refer the matter to the Finance Department. The motion carried by voice vote.
- 53) Jeanmarie Hajer, Outreach Officer, submitted a Resolution in support of National Night Out. Ramos made a motion, seconded by Brocato, to waive the reading. Thereafter, Chapman made a motion, seconded by Ramos, to read the last paragraph and adopt the Resolution as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 54) Dan LeBeau, Building Director submitted a proposal from Murphy and Miller to install an electronic setback thermostat for City Hall in an amount not to exceed \$945.00 . After discussion, Brocato made a motion, seconded by Chapman, to concur in the recommendation and approve as submitted. The motion carried by the following roll call:

Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson.
Nays: none. Excused: Skryd.

- 55) Frank Novotny & Associates submitted a communication recommending Engineer's Payment Estimate No. 1, (\$84,831.03) to G. & M. Cement Construction for 2005 C.D.B.G. Alley Improvements. After discussion, Brocato made a motion, seconded by Weiner, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 56) Frank Novotny & Associates submitted a communication recommending Engineer's Payment Estimate No. 1, (46,020.82) to Strada Construction for 2005 M.F.T. Maintenance of Sidewalk, Curb and Gutter Repairs. Brocato made a motion, seconded by Weiner, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 57) Sharon Weilmuenster, Assistant Director of Finance, submitted a request to increase the City's line of credit from \$1million to \$3million through Citizens Community Bank and to draw \$1million to meet financial obligations. Chapman made a motion, seconded by Weiner, to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.
- 58) Patrick Keenan submitted a communication from the Berwyn Development Corporation recommending TIF redevelopment funding for Dan's Bike Shop, 6715-17 Roosevelt Road, in an amount not to exceed \$114,870.00. Erickson made a motion, seconded by Brocato, to defer the matter. The motion carried by voice vote.
- 59) At this time, the Consent Agenda, items K-1 through K-8 were submitted.

- K-1 Block Party, 3800 block of Harvey-August 20, 2005
- K-2 Block Party, 3100 block of Maple-August 27, 2005
- K-3 Block Party, 6800 block of 29th Place-August 27, 2005
- K-4 Block Party, 3300 block of Kenilworth-August 20, 2005
- K-5 Block Party, 2800 block of Home-August 27, 2005
- K-6 Block Party, 6400 & 6500 block of 27th St.-August 13, 2005
- K-7 Block Party, 1500 block Wesley-August 21, 2005
- K-8 Block Party, 2100 block Lombard-July 30, 2005

Brocato made a motion, seconded by Chapman, to concur and grant permission contingent upon compliance with all City ordinances. The motion carried by voice vote.

- 60) The Mayor called a Committee of the Whole meeting for Tuesday, August 9, 2005, at 6:00 p.m. on Alderman Erickson's referrals.
- 61) Alderman Chapman called a Budget Committee meeting for Monday, August 8, 2005 at 6:30 p.m. on referrals.
- 62) Alderman Ramos called an Education Committee meeting for Tuesday, August 23, 2005 at 6:00 p.m. on referrals.
- 63) There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Phelan, adjourned at the hour of 10:05 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik – City Clerk